

FINAL REPORT



COUNTY OF INYO

2000-2001 GRAND JURY

June 1, 2001

The Honorable Patrick Canfield, Presiding Superior Court Judge
The Honorable Dean Stout, Superior Court Judge
County of Inyo
State of California

Your Honor:

In compliance with the laws of the State of California and with the charge given to us, the 2000-2001 Inyo County Grand Jury is pleased to submit this Final Report to the Court and to the citizens of Inyo County.

Grand Jury service is neither a duty, nor an obligation of any citizen. It is, rather, an opportunity to participate in a unique public service. Please accept the gratitude of the 2000-2001 Grand Jury for your personal support, accessibility and guidance. We thank you for your prompt, careful consideration of our inquiries.

As foreperson of this Grand Jury, I express my thanks to all the members of the 2000-2001 Grand Jury for their participation and commitment to this important function of government.

It is appropriate at this time to also express the appreciation of the Grand Jury for the cooperative and positive attitude of all the witnesses who appeared before it. Although many of these appearances did not necessarily result in a formal mention in the Final Report, nevertheless the willingness to provide all requested information is gratefully acknowledged.

Sincerely,

Paul E. Payne, Foreperson
2000-2001 Inyo County Grand Jury

Inyo County 2000-2001 Grand Jury

Paul E. Payne, Foreperson
Robert E. Michener, Foreperson *pro tem*
Cathryn N. Bahm, Recording Secretary
Glenna J. Stansifer, Corresponding Secretary
Laura M. Warner, Treasurer
Melvin Bernasconi
E. Jean Clair
Manuel O. Fernandez
Clifford A. Kenny
Donald M. Reese
Ardis Whitaker

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Grand Jury Final Report

Agency and Officials Response Requirements

Section 925 of the California Penal Code provides that grand juries shall investigate and report on the operations, departments, or functions of the county, and Section 925(a) that they may do the same on the operations, departments, or functions of any city within the county.

Penal Code Sections 933, *et seq.*, requires public agencies and elective county officers affected by the findings and recommendations contained in the Final Report to respond to the Final Report. The affected public agencies have 90 days, and elective public officers have 60 days in which to file their responses.

As to grand jury findings, Penal Code Section 933.05 requires responding parties to indicate whether they agree in whole or disagree in whole or in part with each grand jury finding.

As to grand jury recommendations, Penal Code Section 933.05 requires responding parties to indicate whether each recommendation has been implemented or will be implemented and, if so, when. If a responding party will not implement a recommendation, the party must explain why it will not implement the recommendation. If a party believes that a recommendation requires further study, Penal Code Section 933.05 requires that it state when the results of the study will be publicly discussed.

Mission Statement

The Inyo County Grand Jury is an arm of the Superior Court system and serves as an investigatory body.

The Grand Jury:

1. Will act as the public's "watchdog" by investigating the affairs of government.
2. Will judiciously investigate all allegations against and misconduct by public officials.

Our purpose is to assure honest, efficient government that functions in the best interest of the citizens of Inyo County.

Introduction:

The Grand Jury is an instrument of the judicial system of our government and carries on the best traditions of English Common Law and democratic government. Our form of government has vested the ultimate power of decision in its citizens. The Grand Jury is a reflection of this intent, and has been in place for over 50 years.

The Inyo County Grand Jury is composed of eleven citizens nominated by judges, members of the Board of Supervisors, and City Council members. Citizens may volunteer by contacting one of the aforementioned offices. Members of the Grand Jury are selected in a random drawing conducted by the Presiding Judge of the Superior Court. The Grand Jury's term of office is for one year.

What is the Grand Jury?

The Grand Jury is an investigatory body and is part of the government. Both the Constitutions of the United States and the State of California call for grand juries. Unlike a trial jury, which exists only to try individual cases, the Inyo County Grand Jury is a permanent body with members serving one-year terms.

In the course of its investigations the Grand Jury may hire independent auditors and subpoena witnesses and documents. The Jury may ask advice of Legal Counsel on civil matters, confer with the District Attorney on criminal matters, and discuss problems with the Judges of the Superior Court.

The Grand Jury is charged by the Court to order audits and to conduct hearings, interviews and investigations. The charge provides definition and delineation, so that the effort of the Jury is focused on solutions. Committees within the Jury are established to better manage the responsibilities and utilize individual talents and abilities. There is latitude in selection of areas of investigation.

The Jury has oversight responsibility for all publicly funded local entities operating in Inyo County and acts in the role of ombudsman for any citizen complaining against any government entity or official within Inyo County. Local entities under the jurisdiction of the Grand Jury include The County of Inyo, The City of Bishop, joint powers agencies, public prisons and limited jurisdiction over special districts and school districts located in Inyo County. The Grand Jury does not have jurisdiction over State or Federal government operations including the court system.

The Jury's Annual Report is submitted to the Presiding Judge of the Superior Court of Inyo County. The Grand Jury distributes its Annual Report to all affected agencies and to the citizens of the county.

The Findings and Recommendations in its Final Report are required to be answered by all affected agencies in the time specified by the Penal Code. While the Penal Code does not require any follow-up by subsequent Grand Juries, it is implied.

Interested parties are encouraged to read the full responses from affected agencies on file with the Superior Court. Citizens are encouraged to respond to any part of the Report.

Civil Responsibilities:

The Grand Jury may examine all aspects of county and city government, and special districts, to ensure that the best interests of the citizens are being served. The Grand Jury reviews and evaluates procedures, methods, and systems used by the county government for efficiency and economy.

The Grand Jury is authorized to:

- Inspect and audit books and records to ensure legal expenditures and accounting of public funds.
- Inquire into the conditions of prisons, jails, and detention centers in Inyo County.
- Inquire into charges of willful misconduct in office by public officials or employees.
- Subpoena witnesses and documents in the course of an investigation.

The Grand Jury reports on investigations in the annual Final Report. The Report contains all findings and recommendations made as a result of the investigations and is distributed to public officials, libraries, and to the general public and news media.

Citizen Complaints:

As part of its civil function, the Grand Jury receives written complaints from citizens alleging inefficiencies and misconduct in government, or mistreatment by public officials.

Complaints received from citizens are investigated for their validity. Such complaints are kept confidential and members of the Grand Jury frequently rely on information from concerned citizens who are aware of problems, and who are willing to pursue corrective action.

If the situation warrants, and the matter is under the jurisdiction of the Grand Jury, appropriate action is taken. That action may be a report, a recommendation for civil action, or a formal indictment or accusation if criminal matters are involved.

Report on Responses to the 1999-2000 Grand Jury Final Report

As a public service, the 2000-2001 Grand Jury is publishing the responses to recommendations made by the 1999-2000 Grand Jury.

RECOMMENDATION REGARDING THE INYO COUNTY JUVENILE FACILITY:

1. Outdoor security lighting should be installed by December 2001 at the Inyo County Juvenile Facility to light the building perimeter and the parking areas.

RESPONSE REQUIRED BY: Probation Department
Board of Supervisors

INYO COUNTY RESPONSE:

1. The recommendation will be partially implemented. The County Building and Maintenance Division was not consulted by the Grand Jury on this recommendation. The County currently has budgeted a project to install perimeter and parking area lighting for the Juvenile Facility. The Installation is expected to follow a time-line which will have the lighting installed by December, 2001. However, the Board of Supervisors will continue to maintain control over this and other projects within the confines of budgetary constraints and project prioritization.

RECOMMENDATION REGARDING THE INYO COUNTY JUVENILE FACILITY:

2. Board of Supervisors draft and approve, no later than August 2001, an ordinance directing the Probation Department to obtain reimbursement from other counties that house their juveniles at the Inyo County Juvenile Facility.

RESPONSE REQUIRED BY: Board of Supervisors

INYO COUNTY RESPONSE:

2. The recommendation will not be implemented because it is not reasonable. The Grand Jury nor any other party may direct the Board of Supervisors to approve an ordinance. There is an ordinance adoption process which is required by state statute to be followed. This entails notification of the ordinance, a public hearing on the ordinance and then a Board decision on adoption which cannot be predetermined without violating the Brown Act. The Board of Supervisors has directed staff to research the feasibility of recovering costs of detention of delinquent minors from other counties. Upon the Department's presentation of a report on this issue, the Board would expect to proceed with the process to evaluate staff's recommendations. Also the Board has an ordinance which allows the County to seek reimbursement from parents of juveniles and there is a contract with Mono County which allows the Probation Department to collect for minors Mono County places in Inyo County custody.

RECOMMENDATION REGARDING THE INYO COUNTY JAIL:

1. A ramp for the handicapped is installed in front of the Inyo County Jail.

RESPONSE REQUIRED BY: Sheriff's Department

SHERIFF'S DEPARTMENT RESPONSE:

1. Recommendation will be partially implemented. The Sheriff has no budget, equipment, supplies nor trained personnel to accomplish this recommendation. Our office has requested through Inyo County Public Works that this change be made each year since occupation of

the facility in 1994 and verbally requested the change on numerous additional occasions. In an effort to comply with this recommendation, this office will continue to request this change.

RECOMMENDATION REGARDING THE BISHOP CITY JAIL:

1. Bishop City Council and Bishop Police Department locate additional storage space for records, supplies and equipment.

RESPONSE REQUIRED BY: Bishop City Council
Bishop Police Department

BISHOP CITY COUNCIL RESPONSE:

1. Agree. Money has been budgeted for fiscal year 2000-2001 to add additional storage.

BISHOP POLICE DEPARTMENT RESPONSE:

No response was received.

RECOMMENDATION REGARDING THE OWENS VALLEY CONSERVATION CAMP:

1. The Grand Jury recommends the City of Bishop and Inyo County continue to take appropriate measures to recognize the contributions made by the Conservation Camp.

RESPONSE REQUIRED BY: Bishop City Council
Board of Supervisors

BISHOP CITY COUNCIL RESPONSE:

1. Agree. The City always issues correspondence in the form of appreciation each time assistance is received from the Conservation Camp.

BOARD OF SUPERVISORS RESPONSE:

1. The recommendation has been implemented. The Board of Supervisors and county officials will continue to recognize the contributions made by the Owens Valley Conservation Camp, whenever and wherever it is appropriate.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

1. Install perimeter skirting on the office trailer at the Line Street Yard.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

1. The recommendation will not be implemented because it is not reasonable. Recommendations for repair and maintenance of County facilities are made at the discretion of the Public Works Department, based upon many factors, including a needs assessment, priority issues, manpower availability, budgetary constraints and personnel safety issues. At this time there are no plans to install perimeter skirting. The Department's policy is to maximize the current funding for road maintenance and repair. The trailer is used as a construction office and, while it hasn't been moved in the past, it may be moved in the future to various project locations for use during upcoming construction projects.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

2. Install insulation on the inside of the Main Street Building.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

2. The recommendation will not be implemented because it is not reasonable. (See above response for the parameters for allocating repair and maintenance of County facilities). This building is small and there are times when it is necessary to have the doors open while working on equipment. Insulation would have little effect on the heating of the building when the doors are open. In addition, there are plans to relocate the shop in conjunction with the Bishop Consolidation Project. With the shortage of available funding, the money may be better used on other projects.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

3. Install safety stops on all hoist equipment.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

3. The recommendation requires further analysis and will not be implemented unless warranted. Only the hoist at the Main Street Shop has been identified as having no safety stops. The hoist will be evaluated and steps taken to either install safety stops on the hoist controls or replace the hoist with a newer model that does have safety stops. This evaluation will be completed within six months from the date of the Grand Jury Report.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

4. Install eye protection shields on all bench grinders.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

4. The recommendation has been implemented. All shops have been inspected and eye protection has been installed on all bench grinders.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

5. Mark all tools with Inyo County property identification.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

5. The recommendation will be implemented. All tools which are the property of the County of Inyo will be marked with County identification within one year from the date of the Grand Jury Report. Staff will be reminded of the need to label County owned tools and this reminder will be followed up by an inspection.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

6. Equip the trailer at the Lone Pine Yard with lockers, tables, desks and chairs.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

6. The recommendation has been implemented. The new office trailer has been completed; there are lockers, tables, chairs and safety equipment installed in the trailer.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

7. Install a rolling door to replace the plastic cover in the area where chains are installed in the Lone Pine Yard.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

7. The recommendation will be implemented. There are currently three bays in the shop building, only two are required. The two rolling doors will be used at the entrance of the two bays and the remaining bay will be turned into storage. A door will be removed from another bay for use at the bay where chains are installed. The other affected bay will be converted into storage with a wall and a walk through door installed within six months from the date of the Grand Jury Report.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

8. Install additional lighting in the metal building at the Lone Pine Yard.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

8. The recommendation requires further analysis and will not be implemented unless it is warranted. The lighting will be evaluated in conjunction with the bay conversion from workspace to storage. If additional lighting is required, it will be installed. This evaluation will be completed within six months from the date of the Grand Jury Report.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

9. Assign a newer pickup to the Lone Pine Yard to replace one of the older ones in need of repairs.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

9. The recommendation has been implemented.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

10. Install a concrete floor in the shop area of the Lone Pine Yard main metal building.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

10. The recommendation has been implemented.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

11. The Grand Jury recommends the County initiate steps, for public safety, to relocate the Lone Pine Yard out of its present residential area.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

11. The recommendation will not be implemented because it is not reasonable. The Board of Supervisors is not currently considering recommendations for the relocation of the Lone Pine Road Yard. Building Projects are recommended at the discretion of the Department and approval of a project of this magnitude would be based on budget constraints, availability of land, and a needs and priority assessment. Currently funding is not available to relocate the

Lone Pine Road Yard. However, the County will continue to remain alert to possible relocation and funding opportunities.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

12. The Grand Jury recommends the County strip inoperable equipment and vehicles, where applicable, for parts and dispose of the remaining junk instead of storing it indefinitely at outlying Yards.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

12. Recommendation has been implemented as warranted. Currently the small front-end loader, truck parts and water tanks, identified by the Grand Jury Report at the Main Street Yard, have been declared surplus.

RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

13. The Grand Jury recommends the County provide welding screens to all yards utilizing arc welders.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

13. Recommendation will be implemented. Screens will be provided at all areas designed for any welding activity within six months from the date of the Grand Jury Report.

RECOMMENDATION REGARDING THE INYO COUNTY RISK MANAGER:

1. All Road Department facilities should be inspected at least twice a year for safety violations, while equipment is being used.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

1. The recommendation is already implemented. The inspection of the facilities, at least twice a year, is already required and conducted per the Injury and Illness Prevention Program.

RECOMMENDATION REGARDING THE INYO COUNTY RISK MANAGER:

2. The Risk Manager should continue to broaden her education regarding safety equipment by attending seminars, visiting other agencies, and exchanging information.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

2. The recommendation will be implemented as warranted and feasible. The Risk Manager attends training seminars and will continue to do so in the future.

RECOMMENDATION REGARDING THE INYO COUNTY RISK MANAGER:

3. Every accident resulting in personal injury or property damage should be fully investigated and the results reported to the Risk Manager and Board of Supervisors.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

3. The recommendation is already implemented. The Risk Manager is responsible for the investigation of all personal injury and property damage incidents. To make some other

party responsible for this investigation and then have the investigation reported to Risk Management is not acceptable. The County policy requires that all injury and property damage incidents be reported to the Risk Manager for investigation and disposition.

RECOMMENDATION REGARDING THE INYO COUNTY RISK MANAGER:

4. Safety meetings should be separately held in all Road Department facilities at least twice a year in order to relate any changes in equipment operating procedures and to acquaint personnel to the Risk Manager and her job function.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

4. The recommendation is already implemented. Safety meetings are held as an on-going practice of the Road Department. Tailgate safety meetings are held in every shop or yard. In addition, safety meetings are conducted when new equipment arrives to ensure the personnel are familiar with each new piece of equipment. New personnel are also given training to acquaint them with the Risk Manager. The Road Department will also hold a tailgate safety meeting to discuss the Risk Manager, the responsibilities of the Risk Manager and how to contact the Risk Manager.

RECOMMENDATION REGARDING THE INYO COUNTY RISK MANAGER:

5. Safety meeting attendance records should be filed by division, not date, and a copy located at each division.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

5. The recommendation will be partially implemented. The method utilized by Risk Management to file the Safety Training Reports is that deemed to be most suitable for Risk Management. It is the understanding of Risk Management that Departments do retain either the original or copies of Safety Training Reports.

RECOMMENDATION REGARDING THE INYO COUNTY RISK MANAGER:

6. Safety attendance records should be typed. Each employee in attendance should sign regarding his/her participation and full understanding.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

6. The recommendation is already partially implemented. Safety training reports documenting training coordinated by Risk Management are typed. At the conclusion of any training conducted by Risk Management, there is a question and answer session to address any area employees did not understand. Absent giving employees tests every time they complete a training session, which will not occur, there is no other way to ensure the employees full understanding at the end of a session. The Road Department keeps records of all tailgate safety meetings. These records include attendance and subject discussed. These records are handwritten on prepared forms. The requirement that field safety meeting reports be typed is unreasonable.

RECOMMENDATION REGARDING INYO COUNTY SPECIAL DISTRICTS:

1. County Clerk/Recorder and County Counsel establish and maintain a joint accurate and current list of all Special Districts and that the list is made available to the general public upon request through the Office of the Clerk/Recorder.

RESPONSE REQUIRED BY: Board of Supervisors
County Clerk/Recorder
Each Special District

BOARD OF SUPERVISORS RESPONSE:

1. The recommendation will not be implemented because it is not warranted. This ... Recommendation ... misleads the public and special districts regarding the obligation of County officials to maintain a list of special districts, including their current addresses within Inyo County. This ... Recommendation ... incorrectly implies and assumes that the County Counsel has an obligation to establish and maintain such a list. County Counsel in fact has no such obligation. Government Code Section 53051 makes it the legal obligation of each special district to file a statement with the Secretary of State and the County Clerk containing their full name, their official mailing address, the name and address of each member of their governing body, and the name, title, and address of each of its officers. Section 53051 also requires each special district to file an amended statement with the Secretary of State and County Clerk within ten days of any change in the district's official address, or a change in the officers or members of the district's governing board. The statements filed by the districts with the Secretary of State and County Clerk is available to the public for inspection or copying. Thus under existing law, it is the obligation of each special district to keep the Secretary of State and County Clerk informed of their existence and current address. County Counsel has no obligation to establish and maintain a current and accurate list of special districts and their addresses. The list of special districts maintained by County Counsel and provided to the Grand Jury was not represented to be, and is not, the official statements of special districts within Inyo County, but was merely the list of districts and their addresses, based upon the most recent information provided by the districts themselves to the County Counsel and kept solely for the purposes of correspondence.

The Grand Jury states in the background portion of the report that the "... Inyo County Counsel and Clerk/Recorder were questioned to identify their individual duty and area of responsibility as it pertains to special district." This statement makes it appear that the Grand Jury met with County Counsel regarding the specifics of this investigation. However, this did not occur. The Grand Jury did meet with County Counsel wherein general descriptions of the duties and functions of his office were discussed. The specifics of the obligation to keep a current list of special districts was never mentioned or discussed in that meeting. The Grand Jury never subsequently met with the County Counsel regarding the specifics of this investigation relating to the duty of the County Counsel to maintain a current list of special districts and their addresses. Penal Code Section 933.05(e) provides as follows "During an investigation, the grand jury shall meet with the subject of the investigation regarding the investigation, unless the court, either on its own determination or upon a request of the foreperson of the grand jury, determines that such meeting would be detrimental." There is no reason why a meeting with the County Counsel regarding the specifics of this investigation would be detrimental. Had the Grand Jury complied with this law and met with County Counsel to discuss the specifics of the County Counsel's obligation to establish and maintain a list of all special districts within Inyo County and their current addresses, before

completing its investigation, the Grand Jury could have corrected their report to avoid misleading the public and special districts regarding the responsibilities of County officials. Notwithstanding this comment, County Counsel did learn of this ... Recommendation ... before the Grand Jury published its report. The County Counsel contacted the Grand Jury Foreperson, advised him of the misleading and inaccurate nature of the ... Recommendation, provided the Grand Jury with a copy of Government Code Section 53051, and asked that the Grand Jury consider changing the report to correctly reflect the law. The Grand Jury Foreperson subsequently advised the County Counsel that the Grand Jury had considered the matter, declined to change the report to reflect the provisions of Government Code Section 53051, and that the Grand Jury felt that the County Counsel, in his response to the Grand Jury Report, could correct the matter and thereby better bring the obligation of special districts to their attention. The Grand Jury's refusal to make their report accurate and correct does a disservice to the public, special districts, and county officials. The Grand Jury's reasoning for relying on County Counsel to correct their inaccurate and misleading report in this matter is neither proper nor justified.

COUNTY CLERK/RECORDER RESPONSE:

1. The recommendation has been implemented with regard to those areas within my control. As to the areas beyond my control: If County Counsel presents this office with a list of Special Districts it will be maintained and made available to the general public upon request. If the Special Districts provide accurate and current information to this office, that information is, and will continue to be, made available to the general public upon request.

SPECIAL DISTRICT RESPONSE(S):

Mesa Community Service District:

1. District supports the recommendation

Round Valley Joint Elementary School District:

1. District will provide the County Counsel with our current address.

Starlite Community Service District:

1. District has no concerns with the recommendation.

RECOMMENDATION REGARDING INYO COUNTY SPECIAL DISTRICTS:

2. Inyo County Counsel establish a pro-active program of education and training to be available to all Districts regarding Brown Act and Conflict of Interest Code requirements.

RESPONSE REQUIRED BY: Board of Supervisors
Each Special District

BOARD OF SUPERVISORS RESPONSE:

2. The recommendation will not be implemented because it is not warranted. ... Recommendation ... mislead[s] the public and special districts regarding the authority and obligations of County Counsel to provide legal services to special districts within Inyo County. This recommendation implies and assumes that the County Counsel has an affirmative duty and obligation to ensure that all special districts within Inyo County receive appropriate and sufficient legal education and training, specifically with regard to the Brown Act and conflict of interest laws. County Counsel in fact has no such duty or obligation. Government Code section 26520 and 26529, and Inyo County Ordinance Number 966 provide that the County Counsel may render legal services to school districts, and other local public entities as requested. Neither these statutes nor other law requires the County Counsel

to serve as general counsel or act in any way as legal counsel for any of the schools or special districts within Inyo County, except for the Great Basin Unified Air Pollution Control District. In fact, most of the schools within Inyo County and many of the special districts have retained their own legal counsel to act as their general counsel, or to represent them on legal matters in which the district is involved. Thus, under existing law, unless specifically requested by the school or special district, the County Counsel is without authority to perform legal services, pro-active or otherwise, for schools or special districts. For the Grand Jury to imply or assume otherwise, misleads the public and special districts regarding the duty and authority of County Counsel to provide legal services. The fact is, special districts and their officers and employees have the obligation to insure that they have a clear understanding of the Brown Act, conflict of interest laws and other laws as they may pertain to their powers, duties and functions. If they need legal assistance to do so, County Counsel, in accordance with Government Code section 26520 and 26529, and Inyo County Ordinance Number 966, will upon their request and to the extent County resources are available, provide such legal assistance.

The Grand Jury states in the background portion of the report that the "... Inyo County Counsel and Clerk/Recorder were questioned to identify their individual duty and area of responsibility as it pertains to special district." This statement makes it appear that the Grand Jury met with County Counsel regarding the specifics of this investigation. However, this did not occur. The Grand Jury did meet with County Counsel wherein general descriptions of the duties and functions of his office were discussed. The specifics concerning the County Counsel's duty and obligation to ensure that all schools and special districts within Inyo County receive appropriate and sufficient legal education and training specifically with regard to the Brown Act and Conflict of Interest laws was never mentioned or discussed in that meeting. The Grand Jury never subsequently met with the County Counsel regarding the specifics of this investigation as it related to the duty of the County Counsel to ensure that schools and special districts within Inyo County receive appropriate and sufficient legal education and training regarding the Brown Act and conflict of interest laws. Penal Code Section 933.05(e) provides as follows "During an investigation, the grand jury shall meet with the subject of the investigation regarding the investigation, unless the court, either on its own determination or upon a request of the foreperson of the grand jury, determines that such meeting would be detrimental." There is no reason why a meeting with the County Counsel regarding the specifics of this investigation would be detrimental. Had the Grand Jury complied with this law and met with County Counsel to ask about his duty and obligation to ensure that all schools and special districts in Inyo County received appropriate and efficient legal education and training specifically with regard to the Brown Act and conflict of interest laws, the Grand Jury could have corrected their report to avoid misleading the public and special districts regarding the responsibilities of County officials. Notwithstanding this comment, County Counsel did learn of this ... Recommendation ... before the Grand Jury published its report. The County Counsel contacted the Grand Jury Foreperson, advised him of the misleading and inaccurate nature of the ... Recommendation...advised the Grand Jury foreperson of the law concerning the duties and obligation of the County Counsel to ensure that schools and special districts with the county receive adequate and appropriate legal education and training regarding the Brown Act and conflict of interest laws, and asked that the Grand Jury consider changing the report to correctly reflect the law. The Grand Jury Foreperson subsequently advised the County Counsel that the Grand Jury had considered the matter, declined to change the report to correctly reflect the duties and obligations of the

County Counsel, and that the Grand Jury felt that the Counsel in his response to the Grand Jury Report could correct the matter and thereby better bring the obligation of special districts to their attention. The Grand Jury's refusal to make their report accurate and correct does a disservice to the public, special districts, and county officials. The Grand Jury's reasoning for relying on County Counsel to correct their inaccurate and misleading report in this matter is neither proper nor justified.

Also, the County Counsel does have, and has had for a considerable period of time, programs of training and education on the Brown Act and conflict of interest laws, which are available to special districts and their officers and employees upon their request. County Counsel has in the past provided group education and training programs for special districts regarding the Brown Act and conflict of interest laws. Because only a few officers of the special districts participated in such group training, no subsequent group training sessions have been scheduled. Additionally, when individual special districts or their board members request assistance from County Counsel concerning the application of the Brown Act or conflict of interest laws, the Office of County Counsel has, and will continue to the extent County resources and Ordinance Number 966 permit, provide appropriate assistance on those matters or others relating to the district's powers, duties or functions.

SPECIAL DISTRICT RESPONSE(S):

Mesa Community Service District:

2. District supports the recommendation

Round Valley Joint Elementary School District:

2. District does currently have a Conflict of Interest Code.

Starlite Community Service District:

2. District has no concerns with the recommendation.

RECOMMENDATION REGARDING INYO COUNTY SPECIAL DISTRICTS:

3. Inyo County Counsel periodically and routinely meet with individual Districts to assure that Board Members have a clear understanding of Brown Act and Conflict of Interest Code requirements.

RESPONSE REQUIRED BY: Board of Supervisors
Each Special District

BOARD OF SUPERVISORS RESPONSE:

3. The recommendation will not be implemented because it is not warranted. See response to Recommendation 2.

SPECIAL DISTRICT RESPONSE(S):

Mesa Community Service District:

3. District supports the recommendation

Round Valley Joint Elementary School District:

3. District does adhere to the Brown Act.

Starlite Community Service District:

3. District has no concerns with the recommendation.

RECOMMENDATION REGARDING INYO COUNTY SPECIAL DISTRICTS:

4. Inyo County Counsel prepare and maintain record of the date that services are provided to each District regarding Brown Act and Conflict of Interest Code requirements.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

4. No response as provided for in Penal Code Section 933.05 can be made to this recommendation, because the recommendation incorrectly implies and assumes that the Inyo County Counsel is not preparing or maintaining appropriate records of the date and nature of legal services that are provided to special districts within Inyo County. The fact is County Counsel is currently, and has been for a considerable period of time, preparing and maintaining appropriate records of the nature and date that legal services are provided to each special district within the County. Where a request by a district for legal services regarding the Brown Act or conflict of interest laws is of such a simple and minor nature that it does not justify making a written record, the Office of County Counsel does not prepare or maintain a record of those services. If the Grand Jury is recommending that County Counsel prepare and maintain a record of all such simple communications with special districts, such recommendation will not be implemented because it is neither warranted or reasonable.

RECOMMENDATION REGARDING INYO COUNTY SPECIAL DISTRICTS:

5. Each District provide documentation of Inyo County Counsel's Brown Act and Conflict of Interest Code education/training activities with their District by recording the activity in their Board Meeting Minutes.

RESPONSE REQUIRED BY: Board of Supervisors
Each Special District

BOARD OF SUPERVISORS RESPONSE:

5. The recommendation will not be implemented because it is not reasonable. Neither the County nor the County Counsel has any ability to require a special district to document the legal services they receive from County Counsel.

SPECIAL DISTRICT RESPONSE(S):

Mesa Community Service District:

5. District supports the recommendation

Round Valley Joint Elementary School District:

5. District will keep record of trainings on the Brown Act and Conflict of Interest Code.

Starlite Community Service District:

5. District has no concerns with the recommendation.

[NOTE: Of the 47 agencies identified in the 1999-2000 Grand Jury Report, only 2 responded as required, answering all the findings and recommendations. 1 responded that the District had no concerns with the findings and recommendations, and this has been so identified in this report. This low response could be taken to illustrate the need for further education in the responsibility of Special District Boards to comply with legal requirements of their office.]

RECOMMENDATION REGARDING THE INYO COUNTY AUDITOR/CONTROLLER:

1. Every third year the annual County fiscal audit should be a full audit of all Funds and Account Groups and be performed by an audit firm different than the one performing the audit for the two preceding years.

RESPONSE REQUIRED BY: Auditor/Controller
Board of Supervisors

AUDITOR/CONTROLLER RESPONSE:

1. This recommendation will not be implemented because it is not warranted. The recommendation contradicts the Government Code as noted in the Grand Jury Report background, again, requires a complete audit of all County financial records, at least biennially. I will continue to request approval of contracts by the Board of Supervisors for an annual audit of all county financial records. I will continue to send out "Request for Proposal" every three years. I will continue to recommend the proposal which provides Inyo County with the most complete audit report, whether that is Bartig, Basler & Ray, CPAs, or another qualified CPA firm.

BOARD OF SUPERVISORS RESPONSE:

1. The recommendation will not be implemented because it is not reasonable. The responsibility of the yearly audit lies with the elected position of Auditor-Controller, who is responsible to the electorate. Should the Auditor-Controller make a recommendation concerning the process for the yearly audit, the Board of Supervisors will give due consideration to the request to fund the contract as recommended by the Elected Official.

RECOMMENDATION REGARDING THE INYO COUNTY AUDITOR/CONTROLLER:

2. The Auditor/Controller cease directing, or otherwise controlling, which Funds or Account Groups will be audited, therefore allowing the limited annual audits to take place on a random basis in accordance with Government Code 25250.

RESPONSE REQUIRED BY: Auditor/Controller
Board of Supervisors

AUDITOR/CONTROLLER RESPONSE:

2. This recommendation will not be implemented because it is not warranted. This is a personal affront to me and indirectly to the Board of Supervisors. I have never directed the outside audit firm as to which funds or account groups to audit. Were I to do so the audit firm, more than likely, would cease their work and report to the Board of Supervisors that they could not fulfill their contract. As I stated previously, and as noted in the background of the Grand Jury Report, the Government Code requires an audit of all County financial records, at least biennially. We actually have a complete audit of all county financial records completed every year. To suggest that we do less effectively accuses the Auditor-Controller and the Board of Supervisors of breaking the law.

BOARD OF SUPERVISORS RESPONSE:

2. The recommendation will not be implemented because it is not reasonable. While the Board of Supervisors cannot dictate to another elected official how they will perform the functions of their position, to the Board of Supervisors and the County Administrator's knowledge the current Auditor-Controller has not directed nor otherwise controlled which funds or account groups have been audited. The Board of Supervisors approves a contract yearly for audit

services of all the County's financial records as required per the Government Code with the firm of Bartig, Basler & Ray.

RECOMMENDATION REGARDING THE TECOPA CEMETERY DISTRICT:

1. Submit a written budget request to the Inyo County Auditor's office.
2. Maintain a five (5) member District Board.
3. Have more than one person for maintenance of the cemetery.
4. Follow the statutes of the Brown Act and the Conflict of Interest Code.

RESPONSE REQUIRED BY: Tecopa Cemetery District Board

DISTRICT BOARD RESPONSE:

There was no response from the Tecopa Cemetery District Board.

RECOMMENDATION REGARDING THE SOUTHERN INYO FIRE PROTECTION DISTRICT:

- 1 Repair the steps of the building used to house the fire district's operation.

RESPONSE REQUIRED BY: Southern Inyo Fire Protection District

SOUTHERN INYO FIRE PROTECTION DISTRICT RESPONSE:

1. No response was received.

RECOMMENDATION REGARDING THE SOUTHERN INYO FIRE PROTECTION DISTRICT:

2. Hang up fire fighting garb.

RESPONSE REQUIRED BY: Southern Inyo Fire Protection District

SOUTHERN INYO FIRE PROTECTION DISTRICT RESPONSE:

2. No response was received.

RECOMMENDATION REGARDING THE SOUTHERN INYO FIRE PROTECTION DISTRICT:

3. The Inyo County Board of Supervisors is strongly urged to partially subsidize the District until a tax base can be established.

RESPONSE REQUIRED BY: Southern Inyo Fire Protection District
Board of Supervisors

SOUTHERN INYO FIRE PROTECTION DISTRICT RESPONSE:

3. No response was received.

BOARD OF SUPERVISORS RESPONSE:

3. The recommendation will not be implemented because it is not reasonable. The Board of Supervisors will continue to support the efforts of the Southern Inyo Fire Protection District where possible. However, with that being said, the County of Inyo is not in the fire protection business. Throughout the Owens Valley Fire Districts have been formed by the residents of certain areas to provide fire protection services. In order to provide County funding for Southern Inyo Fire Protection District, the Board of Supervisors would have to declare that the donation "serves a public purpose." The other Fire Districts in the County of Inyo provide these same services to their area. The citizens to provide fire protection services formed the Southern Inyo Fire Protection District. If the residents of the District do not want to pay for the services, it is not the responsibility of the other taxpayers in other districts of the County to pay for the services offered by the Southern Inyo Fire Protection

District. This recommendation also assumes that the District will be successful in establishing a tax base. What type of expectation for continued funding would the County have established if the recommendation were implemented, should the tax base not be established?

RECOMMENDATION REGARDING THE SOUTHERN INYO FIRE PROTECTION DISTRICT:

4. The local residents continue their efforts to pass an ordinance for taxation to support the fire district.

RESPONSE REQUIRED BY: Southern Inyo Fire Protection District
Board of Supervisors

SOUTHERN INYO FIRE PROTECTION DISTRICT RESPONSE:

4. No response was received.

BOARD OF SUPERVISORS RESPONSE:

4. The recommendation will not be implemented because it is not reasonable. There is no implementation possible for the board of Supervisors or the County of Inyo. This is a local resident issue which must be decided by the voters. The Board of Supervisors will support the District's efforts for the passage of an ordinance where appropriate.

RECOMMENDATION REGARDING THE SOUTHERN INYO FIRE PROTECTION DISTRICT:

5. Fire fighting personnel receive training and equipment to handle hazardous waste spills, at the District's expense.

RESPONSE REQUIRED BY: Southern Inyo Fire Protection District
Board of Supervisors

SOUTHERN INYO FIRE PROTECTION DISTRICT RESPONSE:

5. No response was received.

BOARD OF SUPERVISORS RESPONSE:

5. The recommendation will not be implemented because it is not reasonable. The County of Inyo has no jurisdiction over the Southern Inyo Fire Protection District. The District Board governs decisions regarding the amount and types of training to be provided to the District fire fighting personnel.

RECOMMENDATION REGARDING THE SOUTHERN INYO FIRE PROTECTION DISTRICT:

6. A priority should be to make the ambulance and tanker truck operable.

RESPONSE REQUIRED BY: Southern Inyo Fire Protection District
Board of Supervisors

SOUTHERN INYO FIRE PROTECTION DISTRICT RESPONSE:

6. No response was received.

BOARD OF SUPERVISORS RESPONSE:

6. The recommendation will not be implemented because it is not reasonable. The County of Inyo has no jurisdiction over the Southern Inyo Fire Protection District. The District Board governs decisions regarding the prioritization given equipment to be maintained and operated by the District.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

1. The county invite all of the schools to their planning sessions.

RESPONSE REQUIRED BY: All public schools
Board of Supervisors

SCHOOL RESPONSE(S):

Round Valley School:

1. Round Valley School is looking forward to participating in the Inyo County Emergency Preparedness planning. The Superintendent has recently been trained in the Standardized Emergency Management System (SEMS).

No responses were received from the other schools.

BOARD OF SUPERVISORS RESPONSE:

1. Recommendation has been implemented. The County School Districts have been invited to join the Unified Command Team. A representative from the County Superintendent of Schools has been assigned to the Team.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

2. The county carry out a disaster drill every six months. This will cover changes in personnel at any given time.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

2. Recommendation will not be implemented because it is not reasonable. The coordination and execution of a drill of this magnitude is daunting. While the Board agrees that more exercises are needed, it will be left to the discretion of the County Administrator, the County's Director of Emergency Services, to schedule future drills, in coordination with the Unified Command.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

3. The county send out notices to other agencies and request the name of the person who will be in attendance at the drill.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

3. Recommendation has been implemented. All participating agencies are, and were, requested to supply the name of the person attending the drill. The County Administrator's ability to require outside agencies to respond to this request is limited. Future drills will continue to request for attendance designation from all agencies via e-mail.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

4. The county give all key agencies and schools its new manual on Emergency Procedures for Inyo County.

RESPONSE REQUIRED BY: All public schools.
Board of Supervisors

PUBLIC SCHOOL RESPONSE(S):

Round Valley School:

4. The Superintendent has looked through the manual and needs to receive a copy. She would like to see it revised to include the school's resources and expectations in an emergency.

No responses were received from the other schools.

BOARD OF SUPERVISORS RESPONSE:

4. Recommendation has been implemented. The Inyo County Emergency Procedures Manual has been provided to all agencies, including the schools.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

5. Bishop School practice their drill of sending buses out the back of the property (they do not have to remove the fence.)

RESPONSE REQUIRED BY: Bishop Schools

BISHOP SCHOOL RESPONSE:

No response was received.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

6. Big Pine School continue its search for blankets and inquire into the procedures that the Red Cross has for providing help in emergencies.

RESPONSE REQUIRED BY: Big Pine School

BIG PINE SCHOOL RESPONSE:

No response was received.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

7. Big Pine School purchase a radio that will put them in touch with the disaster center.

RESPONSE REQUIRED BY: Big Pine School

BIG PINE SCHOOL RESPONSE:

No response was received.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

8. All schools look to the EOC for mutual aid in the event of a disaster.

RESPONSE REQUIRED BY: All public schools.

Board of Supervisors

PUBLIC SCHOOL RESPONSE(S):

Round Valley School:

8. The Superintendent is familiar with aid resources for disasters, as this was a component of the SEMS course taken March 14, 2000.

BOARD OF SUPERVISORS RESPONSE:

8. Recommendation will not be implemented, because it is not reasonable. The School Districts are not under the jurisdiction of the Board of Supervisors. There is no mechanism in place for the County to have this recommendation implemented. However, the County will encourage the schools, through the Emergency Services Division to become active

participants in the countywide emergency preparedness network. As noted above the schools have been provided with the Emergency Procedures Manual and a representative of the Inyo County Superintendent of Schools is already a part of the Unified Command Team.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

9. Lone Pine School purchase a radio that will put them in touch with the EOC.

RESPONSE REQUIRED BY: Lone Pine Schools

LONE PINE SCHOOL RESPONSE:

No response was received.

RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

10. Disaster Team have visible identification, such as armbands, color-coded to identify team members' responsibility.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

10. Recommendation will be implemented. The Unified Command Team leaders have developed a procedure to implement an identification policy and armbands are on order through the Sheriff's Office.

Inyo County Grand Jury
2000-2001
Continuity Report

According to the Responses to the 1999-2000 Grand Jury Report, there are several areas which were declared to have been addressed, or would be addressed in the future. As a follow-up, the 2000-2001 Continuity Committee recommends that the 2001-2002 Grand Jury inquire into the following:

1. RECOMMENDATION REGARDING THE INYO COUNTY JUVENILE FACILITY:

Outdoor security lighting should be installed by December 2001 at the Inyo County Juvenile Facility to light the building perimeter and the parking areas.

RESPONSE REQUIRED BY: Probation Department
Board of Supervisors

INYO COUNTY RESPONSE:

The recommendation will be partially implemented. The County Building and Maintenance Division was not consulted by the Grand Jury on this recommendation. The County currently has budgeted a project to install perimeter and parking area lighting for the Juvenile Facility. The Installation is expected to follow a time-line which will have the lighting installed by December, 2001. However, the Board of Supervisors will continue to maintain control over this and other projects within the confines of budgetary constraints and project prioritization.

2. RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

Install safety stops on all hoist equipment.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

The recommendation requires further analysis and will not be implemented unless warranted. Only the hoist at the Main Street Shop has been identified as having no safety stops. The hoist will be evaluated and steps taken to either install safety stops on the hoist controls or replace the hoist with a newer model that does have safety stops. This evaluation will be completed within six months from the date of the Grand Jury Report.

3. RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

Mark all tools with Inyo County property identification.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

The recommendation will be implemented. All tools which are the property of the County of Inyo will be marked with County identification within one year from the date of the Grand Jury Report. Staff will be reminded of the need to label County owned tools and this reminder will be followed up by an inspection.

4. RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

Install a rolling door to replace the plastic cover in the area where chains are installed in the Lone Pine Yard.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

7. The recommendation will be implemented. There are currently three bays in the shop building, only two are required. The two rolling doors will be used at the entrance of the two bays and the remaining bay will be turned into storage. A door will be removed from another bay for use at the bay where chains are installed. The other affected bay will be converted into storage with a wall and a walk through door installed within six months from the date of the Grand Jury Report.

5. RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

Install additional lighting in the metal building at the Lone Pine Yard.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

The recommendation requires further analysis and will not be implemented unless it is warranted. The lighting will be evaluated in conjunction with the bay conversion from workspace to storage. If additional lighting is required, it will be installed. This evaluation will be completed within six months from the date of the Grand Jury Report.

6. RECOMMENDATION REGARDING THE INYO COUNTY ROAD DEPARTMENT:

The Grand Jury recommends the County provide welding screens to all yards utilizing arc welders.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

Recommendation will be implemented. Screens will be provided at all areas designed for any welding activity within six months from the date of the Grand Jury Report.

7. RECOMMENDATION REGARDING THE INYO COUNTY RISK MANAGER:

Safety meeting attendance records should be filed by division, not date, and a copy located at each division.

RESPONSE REQUIRED BY: Board of Supervisors

BOARD OF SUPERVISORS RESPONSE:

The recommendation will be partially implemented. The method utilized by Risk Management to file the Safety Training Reports is that deemed to be most suitable for Risk Management. It is the understanding of Risk Management that Departments do retain either the original or copies of Safety Training Reports.

8. RECOMMENDATION REGARDING INYO COUNTY EMERGENCY PREPAREDNESS:

The county give all key agencies and schools its new manual on Emergency Procedures for Inyo County.

RESPONSE REQUIRED BY: All public schools.
Board of Supervisors

PUBLIC SCHOOL RESPONSE(S):

Round Valley School:

The Superintendent has looked through the manual and needs to receive a copy. She would like to see it revised to include the school's resources and expectations in an emergency.

No responses were received from the other schools.

BOARD OF SUPERVISORS RESPONSE:

Recommendation has been implemented. The Inyo County Emergency Procedures Manual has been provided to all agencies, including the schools.

2000-2001 INYO COUNTY GRAND JURY

BISHOP POLICE DEPARTMENT

RESPONSE REQUIRED ON FINDINGS

- Chief of Police - #1 - 6
- Bishop City Council - #5 and 6

RESPONSE REQUIRED ON RECOMMENDATIONS

- Chief of Police - #1
- Bishop City Council - #1

Bishop Police Department

The City of Bishop Police Department maintains two holding cells in the police station for temporary incarceration of persons detained in the course of police duties.

Reason for Review

State law to inspect public prisons in their jurisdictions on a yearly basis mandates Grand Juries.

Method of Investigation

A quorum of Grand Jury members conducted an on-site inspection of the Bishop Police Station.

Legal Requirement

California Penal Code Section 919b states that every Grand Jury “*shall inquire into the conditions and management of the public prisons within the county.*”

Findings

1. Facility is clean and well maintained.
2. Staff was cordial and cooperative.
3. Procedures and facilities for the custody of evidence show great improvement over previous Grand Jury findings.
4. Holding cells are clean with no odors.
5. Facility is still cramped for space.
6. Considerable progress has been made on recommendations made by previous Grand Juries. Officers and staff are to be complimented on doing a tough job well.

Recommendations

1. The City of Bishop and the Bishop Police Department should continue to search for additional physical facilities.

Response Required

Chief of Police

Bishop City Council

2000-2001 INYO COUNTY GRAND JURY

INYO COUNTY JAIL

RESPONSE REQUIRED ON FINDINGS

- Sheriff - #1 – 2; 4 - 5
- Board of Supervisors – #3

RESPONSE REQUIRED ON RECOMMENDATIONS

- Board of Supervisors - #1

Inyo County Jail

The Inyo County Sheriff's Department runs the Inyo County Jail. It is also where the Sheriff's main office and clerical staff is located. Deputies, Correctional Officers, and support staff staff the Jail.

Reason for Review

State law to inspect public prisons in their jurisdictions on a yearly basis mandates Grand Juries.

Method of Investigation

A quorum of Grand Jury members conducted an on-site inspection of the Inyo County Jail.

Legal Requirement

California Penal Code Section 919b states that every Grand Jury "*shall inquire into the conditions and management of the public prisons within the county.*"

Findings

1. The facility is clean and well maintained.
2. Staff was very cooperative at all times.
3. Recruiting of Correctional Officers and Deputies is very difficult, primarily because of the pay scales.
4. The facility is run in a competent and professional manner.
5. Food and medical care for inmates is adequate.

Recommendations

1. The County needs to solve the recruiting, training and retention of Correctional Officers and Sheriff's Deputies problem before it becomes acute.

Response Required

Board of Supervisors

2000-2001 INYO COUNTY GRAND JURY

**INYO COUNTY JUVENILE
DETENTION CENTER**

RESPONSE REQUIRED ON FINDINGS

- Board of Supervisors – #1 - 12

RESPONSE REQUIRED ON RECOMMENDATIONS

- Board of Supervisors – #1 - 7

Inyo County Juvenile Detention Center

Inyo County has run a Juvenile Detention Center since April 1995, for the purposes of confining and caring for minors who are a danger to themselves or the community.

Reason for Review

State law to inspect public prisons in their jurisdictions on a yearly basis mandates Grand Juries.

Method of Investigation

A quorum of Grand Jury members conducted an on-site inspection of the Juvenile Center.

Legal Requirement

California Penal Code Section 919b states that every Grand Jury “*shall inquire into the conditions and management of the public prisons within the county.*”

Findings

1. The facility was well maintained and very clean.
2. Facility staff members were extremely cooperative at all levels.
3. Day room acoustics are very poor and have been since the facility opened. Several unsuccessful attempts have been made to rectify the problem. Poor acoustics lead to communication and supervision problems.
4. There is still a very foul unidentified odor in the building, which becomes extreme in February, March and April.
5. Food for inmates is not particularly appetizing and does not appear to be sufficient for growing teenagers. The lack of a cook does not help the problem
[Note: since the Grand Jury's visit, a part-time cook has been hired.]
6. There is a lack of adequate outside lighting, especially in the intake area (west entrance).
7. The exterior fence provides no privacy in the exercise yard.
8. There is no drinking fountain in the exercise yard.
9. Landscaping is poor or non-existent.
10. Facility staff is below authorized strength, and recruiting is very difficult due to low pay. The pay scale is such that a certain Supervising Counselor is currently making less than some Juvenile Counselors.
11. Mental Health counselor response is inadequate because of low staffing. Recruiting is very difficult, due in part to low pay.
12. Facility staff members are to be commended for their efforts, even though they are under authorized strength.

Recommendations

1. Correct acoustics in the day room.
2. Find the source of the foul odor that impacts the facility and correct the problem.
3. The Juvenile Center should have a full-time cook on staff.
4. The outside fencing should be improved to provide privacy in the exercise yard.
5. Inyo County needs to solve the problem of recruitment and retention of staff.
6. Landscaping, a drinking fountain in the exercise yard and exterior lighting at the west entrance of the Juvenile Center are strongly urged.
7. Juvenile Facility staff needs to be provided with adequate access to Mental Health Counselors.

Response Required
Board of Supervisors

2000-2001 INYO COUNTY GRAND JURY

OWENS VALLEY CONSERVATION CAMP #26

RESPONSE REQUIRED ON FINDINGS

- **Camp Commander - #1 - 6**

RESPONSE REQUIRED ON RECOMMENDATIONS

The Grand Jury has no recommendations

Owens Valley Conservation Camp #26

The State of California maintains the Owens Valley Conservation Camp for the incarceration of low-risk inmates, and in conjunction with the California Department of Forestry, for the training these inmates into crews of fire-fighting specialists.

Reason for Review

State law to inspect public prisons in their jurisdictions on a yearly basis mandates Grand Juries.

Method of Investigation

A quorum of Grand Jury members conducted an on-site inspection of the Owens Valley Conservation Camp.

Legal Requirement

California Penal Code Section 919b states that every Grand Jury “*shall inquire into the conditions and management of the public prisons within the county.*”

Findings

1. Grand Jury members found the camp to be very clean and well maintained.
2. The Camp Commander and staff were very cooperative and helpful.
3. All inmates must complete four weeks of fire fighting training.
4. No inmates with disabilities or chronic illnesses are assigned to this camp. They must all be able to put in at least eight hours of work per day.
5. Inmates do all the maintenance and upkeep of the facility, as well as food preparation and cleanup, laundry, and some clerical services.
6. Inmates also do work in the community, and with their fire-fighting skills, are a great asset to the county.

Recommendations

The Grand Jury has no recommendations for the Owens Valley Conservation Camp.

2000-2001 INYO COUNTY GRAND JURY

Inyo County Disaster and Emergency Preparedness

RESPONSE REQUIRED ON FINDINGS

- Board of Supervisors - #1 – 7; #9
 - Sheriff - #1 - 3
 - Bishop City Council - #1 - 3
- Public School Districts - #1 – 3; #8

RESPONSE REQUIRED ON RECOMMENDATIONS

- Board of Supervisors - #1 - #8; 10
 - Sheriff - #8 - 10
 - Bishop City Council - #10
- Public School Districts - #8 – 10

Inyo County Disaster and Emergency Preparedness

The County Administrator is Director of Emergency Services and is in charge of emergency planning and budgeting. The Director of Environmental Services is responsible for training, coordination, communication and overall emergency preparedness. The County Sheriff is responsible for handling initial response and for immediate notification of the Director of Environmental Services and the Unified Command.

Reason for Review

This is a continuation of an ongoing investigation and monitoring of the state of emergency and disaster preparedness in Inyo County.

Method of Investigation

The Grand Jury has conducted extensive interviews with numerous people in the county as well as the department heads of most involved agencies, including some heads of public schools. We were trying to ascertain not only their level of preparedness, but how much, if any, improvement has taken place over the past few years.

Findings

1. There has been substantial improvement over what existed four or five years ago, and considerable progress has been made in just this last year.
2. The formation of a Disaster Council involving all government agencies (county, state, LADWP, City of Bishop, federal, public schools) is largely beneficial. It is the steering committee for the other groups.
3. The formation of the Communication Coordinator's Group, which meets monthly with representatives from every essential agency, and is particularly designed to coordinate communications between agencies, is a positive step.
4. The Southeastern part of the county is in inadequate shape, lacking most of the critical services needed.
5. The county's 911 communication system is outdated and in urgent need of upgrading.
6. There are four small trailers in the county containing medical supplies. These could handle relatively small incidents, but are not sufficient for a major incident or disaster.
7. There is a need for bioterrorism and HazMat training in the appropriate agencies.
8. Schools have their mandatory emergency plans and have improved coordination with the county. There is a school official on the key committees.
9. There are still no visible identification vests or other identification for the key personnel.

Recommendations

1. That the county devote more resources to this critical program.

Response Required

Board of Supervisors

2. That the county build up emergency medical supplies of the basic non-dated items.

Response Required

Board of Supervisors

3. Seek all grants possible for HazMat and bioterrorism training and equipment.

Response Required

Board of Supervisors

4. That the county help the southeastern part of the county to have adequate training and equipment necessary for public safety.

Response Required

Board of Supervisors

5. That the county take all necessary steps to upgrade the countywide communication system as soon as possible.

Response Required

Board of Supervisors

6. That key personnel have visible and recognizable identification so the public can see instantly the authority of the personnel involved.

Response Required

Board of Supervisors

7. That the county recognize that ongoing training, upgrading of equipment and knowledge is critical in this fast-changing world and plan accordingly.

Response Required

Board of Supervisors

8. The county and all other agencies are urged to do those things necessary to protect life and property, knowing full well that it is not a question of “if” but “when” a major emergency or disaster will occur in this area.

Response Required
Board of Supervisors
Inyo County Sheriff
Bishop City Council
Public School Districts

9. The Sheriff is to be congratulated for instituting special training of officers to handle school emergencies.

Response Required
Inyo County Sheriff
Public School Districts

10. We commend all personnel involved from all agencies for taking this subject very seriously, and for the progress made.

Response Required
Board of Supervisors
Inyo County Sheriff
Bishop City Council
Public School Districts

2000-2001 INYO COUNTY GRAND JURY

Long Term Care

RESPONSE REQUIRED ON FINDINGS

- **Board of Supervisors - #1 – 9; 13, 14**
- **Office of Education - #11 - 13**

RESPONSE REQUIRED ON RECOMMENDATIONS

- **Board of Supervisors - #1 - 6**
Office of Education - #5

Long Term Care

Reason for Review

At the beginning of this year's term the Inyo County Grand Jury received a letter from a member of a Northern California Grand Jury. He expressed concerns as to the manner in which long-term care was being provided. Long-term care refers to a wide variety of community, home-based, and institutional services for people of any age who, due to chronic illness or disability, need assistance with activities of daily living for the rest of their lives. The writer felt that not only was it not cost-effective to institutionalize these clients, but also that it did not allow them to live safely in their homes with dignity. To this end he recommended an investigation into these programs and generally urged:

- That adequate numbers of personnel be trained to provide this care and,
- That all financial resources whether they be Federal, State, County, or other, be brought together to most effectively finance these programs and,
- That those persons eligible for and requiring this care be kept in the home setting whenever and as long as possible.

Method of Investigation

The full Grand Jury, or its Long-Term Care Committee, met with the Director of the Inyo-Mono Area Agency on Aging (IMAAA), the Director and Assistant Director of the Inyo County Health and Human Services Department, an LVN instructor at Southern Inyo Hospital, the Superintendent of Inyo County Schools, the Director of Adult Education, the Regional Occupational Program (ROP) Coordinator in the Inyo County Office of Education, and the Staff Development Coordinator of the Northern Inyo Hospital.

Findings

1. The Inyo and Mono County Supervisors have created IMAAA as a joint powers agency concerned with all matters that relate to the needs of older persons.
2. IMAAA is funded by the State (California Department of Aging), the Federal government (Older Americans Act), the aforementioned counties with matching funds, and by additional resources from participant and community donations.
3. IMAAA has been designated by the State of California to plan and administer these services. IMAAA, in turn, operates the Linkages Program which links elderly and dependent adults to services which help them maintain independent living in the community by providing comprehensive assessment, care planning, and direct services. Presently it is providing these home care and personal services for about 110 clients who do not otherwise qualify for In-Home Supportive Services.
4. IMAAA also operates the Inyo-Mono Seniors Program (IMSP), which is responsible for providing many of the least restrictive long-term care services. This program, for instance, provides home delivered meals, to homebound individuals. IMSP averages 250 clients per day.

5. Under contract with IMAAA, the First United Methodist Church of Bishop operates an Alzheimer's Day Care Resource Center, which also offers respite for caregivers.
6. For those who qualify financially, the Inyo County Department of Health and Human Services operates the In-Home Supportive Services (IHSS) Program. A homemaker will be provided at no cost or for a share of cost for a specified number of hours per month.
7. Home health services are also available through Pioneer Home Health Care, a private provider, which provides intermittent medical care to the homebound at a cost.
8. The Inyo County Department of Health and Human Services also provides Adult Protective Services which can deal with the problems of elder and dependent adult abuse. A related program is the Ombudsman/Advocacy Services of Inyo County, which can investigate and resolve complaints of residents in long-term care facilities.
9. It is the stated aim of IMAAA and the Mission Statement of the Inyo County Department of Health and Human Services to provide the services available to assist and improve their clients' ability to live independently and productively in the community setting as long as possible.
10. Institutional long-term care is available in a Skilled Nursing Facility in the Southern Inyo Hospital. The capacity is 33 and there is a waiting list. There are also private long-term care facilities in the county.
11. A class has been offered each Fall Semester for the past seven years at Southern Inyo Hospital to train Certified Nursing Assistants. This class is funded by the Inyo County Office of Education through its ROP Program and is designed primarily for high school students at nearby Lone Pine High School.
12. The Inyo County Office of Education is also offering a seven-week class for adults dealing with In-Home Care Giving.
13. Notwithstanding the two classes mentioned above, training and retaining health care personnel for both the institutional and home situation remains a problem due to relatively low pay and lack of promotional opportunity.
14. Inyo County is one of the leading counties in California regarding the proportion of senior citizens in its population.

Recommendations

1. That the Inyo-Mono Area Agency on Aging (IMAAA) and the Inyo County Department of Health and Human Services (HHS) be commended for the services that they provide for our citizens who are in need of long-term care.

Response Required
Board of Supervisors

2. That IMAAA and the Inyo County Department of HHS continue to explore all sources of funding for the programs that they offer.

Response Required
Board of Supervisors

3. That IMAAA and the Inyo County Department of HHS continue, and wherever possible, expand their efforts to publicize the services available to those who require long-term care.

Response Required
Board of Supervisors

4. That, where appropriate, these agencies also bring to the attention of the public the services that are available through other non-public agencies.

Response Required
Board of Supervisors

5. That IMAAA, the Inyo County Department of HHS, and the Inyo County Office of Education explore cooperative efforts with other public agencies to expand training programs for caregivers in the field of long-term care.

Response Required
Board of Supervisors
Inyo County Superintendent of Education

6. That the Inyo County Department of Health and Human Services compile a list of trained caregivers and make it available to the public.

Response Required
Board of Supervisors